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UNITED STATES BANKRUPTCY COURT

DISTRICT OF ARIZONA

In re:

DAVID W. REMIERES AND JENNIFER F.
REMIERES,

Debtors.

CHAPTER 7

Case No. 2:19-bk-12898-BKM

REPORT OF FAILED TRUSTEE'S SALE

Pursuant to Fed.R.Bankr.P. 6004(f)(1), Dina L. Anderson, Chapter 7 Trustee in the above-captioned case, reports that pursuant to the *Order Granting Chapter 7 Trustee's Motion to Set Sale Procedures to Sell Real Property Free and Clear of Liens, Claims, Encumbrances and Interests Pursuant to 11 U.S.C. § 363(B), (F), (K) and (M)* [Docket No. 60] ("Order Approving Sale Procedures") and *Order Granting Motion to Approve Sale of Real Property Free and Clear of Liens* [Docket No. 73], the bankruptcy estate's interest in real property located at 9021 W. Elm Street, Unit 3, Phoenix, AZ - Tax Parcel No. 102-83-349 ("Property") was sold for the total sum of \$111,825.00 to Edwin Adrian Perez, or nominee (collectively "Buyer"). Buyer failed to complete the transaction and the breach of contract provisions were enacted wherein the Seller was entitled to the earnest funds of \$5,591.25. The Trustee received the earnest funds from the title company. Thereafter, pursuant to the Order Approving Sale Procedures, the Trustee and BK Global attempted to sell the Property at auction. When the auction sale failed to obtain a viable buyer, the Trustee signed a *Bankruptcy Trustee's Deed in Lieu of Foreclosure* and returned the Property to the lender for the agreed upon surcharge amount of \$7,500.00. The Trustee received the surcharge funds from U.S. Bank, N.A.

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1 DATED: December 16, 2020

2 GUTTILLA MURPHY ANDERSON, P.C.

3 /s/ DMM 20368

4 Dawn M. Maguire

5 Attorneys for Chapter 7 Trustee

6 **E-FILED** on December 16, 2020 with the U.S. Bankruptcy Court and copies served
7 via ECF notice on all parties that have appeared in the case.

8 **COPY** mailed and/or emailed the same date to:

9 Dina L. Anderson

Chapter 7 Trustee

10 Office of the U.S. Trustee

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27
28 /s/ Monica Baca